

AN ORDINANCE amending the Thoroughfare
Plan of the City Comprehensive ("Master")
Plan by vacating an alley thereof.

WHEREAS, a petition to vacate a public alley within the
City of Fort Wayne (as more specifically described below)
was duly filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing
thereon; and

WHEREAS, said Commission has duly forwarded its
recommendation to this body approving said petition, all in
accordance with I.C. 36-7-4-512(2) and this body having held
a public hearing on said vacation as provided in I.C. 36-7-
4-12; and

WHEREAS, this body concurs in the recommendation of the
City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
THE CITY OF FORT WAYNE, INDIANA:

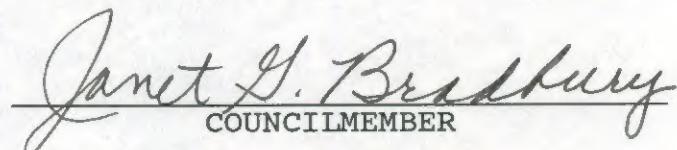
SECTION 1. That the petition filed herein to vacate a
public alley within the City of Fort Wayne, more
specifically described as follows, to-wit:

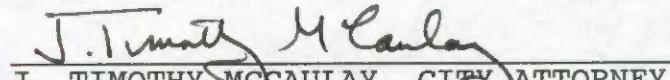
Following is a legal description for a portion of
a 12.5 foot wide alley to be vacated. The South
10.5 feet of said alley situated in Fairview Place
Addition and the North 2.0 feet of said alley
situated in Monument Place Addition, All by metes
and bounds described as follows to-wit:

Commence on the North line of Lot 7 in said Fairview
Place Addition at a point situated 12.0 feet West of
the Northeast corner thereof; thence West along the
North line of Lots 7, 6 and 5 and the Westerly
projection thereof, a distance of 118.0 feet plat
(117.0 feet actual) to the East line of Lot 4 in said
Addition; thence North along the East line of said Lot
4 and its projection thereof, a distance of 12.5 feet
to the South line of Lot 4 in Monument Place Addition;
thence East along the South line of Lots 4, 5 and 6 in
said Addition, a distance of 117.0 feet to a point
situated 12.0 feet West of the East line of Lot 7 in
Fairview Place Addition produced North; thence South a
distance of 12.5 feet to the point of beginning.

1 and which vacating amends the Thoroughfare Plan of the City
2 Comprehensive ("Master") Plan and is hereby approved in all
3 respects.

4 SECTION 2. That this Ordinance shall be in full force
5 and effect from and after its passage, any and all necessary
6 approval by the Mayor.

7 
8 COUNCILMEMBER

9 APPROVED AS TO FORM AND LEGALITY:
10 
11 J. TIMOTHY McCAULAY, CITY ATTORNEY

12 ** Public hearing to be held on Tuesday,
13 the 11th day of December, 1990,
14 in the Council Chambers.

15 
16 Sandra E. Kennedy, City Clerk

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Read the first time in full and on motion by Bradbury, seconded by Delano, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on 14-80, the 14, day of August, 1980, at 10:00 o'clock M., E.S.T.

DATED: 8-14-80

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Henry, and duly adopted, placed on its passage. PASSED LOST by the following vote:

| | <u>AYES</u> | <u>NAYS</u> | <u>ABSTAINED</u> | <u>ABSENT</u> |
|--------------------|-------------|-------------|------------------|---------------|
| <u>TOTAL VOTES</u> | <u>8</u> | | | <u>1</u> |
| <u>BRADBURY</u> | <u>✓</u> | | | |
| <u>BURNS</u> | <u>✓</u> | | | |
| <u>EDMONDS</u> | <u>✓</u> | | | |
| <u>GiaQUINTA</u> | <u>✓</u> | | | |
| <u>HENRY</u> | <u>✓</u> | | | |
| <u>LONG</u> | <u>✓</u> | | | |
| <u>REDD</u> | <u>✓</u> | | | |
| <u>SCHMIDT</u> | | | | <u>✓</u> |
| <u>TALARICO</u> | <u>✓</u> | | | |

DATED: 12-11-80

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. G-29-80 on the 11th day of December, 1980

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Charles S. Reed
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1980, at the hour of 2:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 13th day of December, 1980, at the hour of 2:15 o'clock P.M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

RECEIPT

No 7332

COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND.,

19

RECEIVED FROM

7/12/70

THE SUM OF

One Hundred Dollars

ON ACCOUNT OF

Vacate an address

\$

DOLLARS

PAID BY: CASH CHECK M.O.

AUTHORIZED SIGNATURE

L. G. Moore

Date Filed: July 11, 1990

Vacation Petition

I/We FAHMCO, INC., by J. Philip Burt, Attorney
(Applicant's Name or Names)

PETITION TO VACATE Alley
(Street, Alley, Utility Easement, Plat,
Other)

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

The undersigned petitioner(s), do (does) hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following Alley with the City of Fort Wayne, Indiana, and hereby described as follows:

shown on survey prepared by Hofer and Davis dated June 22, 1989
and attached hereto and made a part hereof.

(Legal Description of property being vacated) If additional space is needed use reverse side.)

In support thereof, your petitioner(s) would represent as follows:

(List reasons for requesting vacation.)

1. Alley has been part of parking lot for many years.

2. To allow construction of a Utility Building on vacated land
and adjoining land on north.

(If additional space is needed use reverse side.)

Your petitioner(s) file this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance, in order to complete the vacation as described.

WHEREFORE, your petitioner(s) pray that the above described alley be vacated according to the provisions of the Indiana Law pertaining thereto.

DATED THIS 11 DAY OF July 19 90

FAHMCO, Inc.

Adjacent Property Owner

Typed Name

520 Tennessee Avenue

Fort Wayne, Indiana 46805

Address

Zip

J. Philip Burt

Signature Attorney

Dulin, Ward & DeWald, Inc.

Adjacent Property Owner

Typed Name

1610 Spy Run Avenue

Fort Wayne, Indiana 46805

Address

Zip

J. Philip Burt

Signature Attorney

Legal Description of Property:

Survey attached

Additional Reasons for Vacation Request:

1. That they are the only owners of real estate bordering both sides of the alley.
2. That the alley is not necessary as ingress or egress to other properties whatsoever.
3. That said alley is unopened and unimproved.
4. That no person, firm, or corporation is interested in or affected by the requested vacation.
5. That the maintenance of said alley is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof.

Owners of Adjacent Property:

FAHMCO, Inc.
520 Tennessee Avenue
Fort Wayne, IN 46805

Dulin, Ward & DeWald, Inc.
1610 Spy Run Avenue
Fort Wayne, IN 46805

Signature

Adjacent Property
Owners TYPED Name

Address/Zip

J. Philip Burt

J. Philip Burt

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST "OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING FROM BEING HELD.

This form is to be filed in duplicate.

AGENT:

J.P. Burt
Name

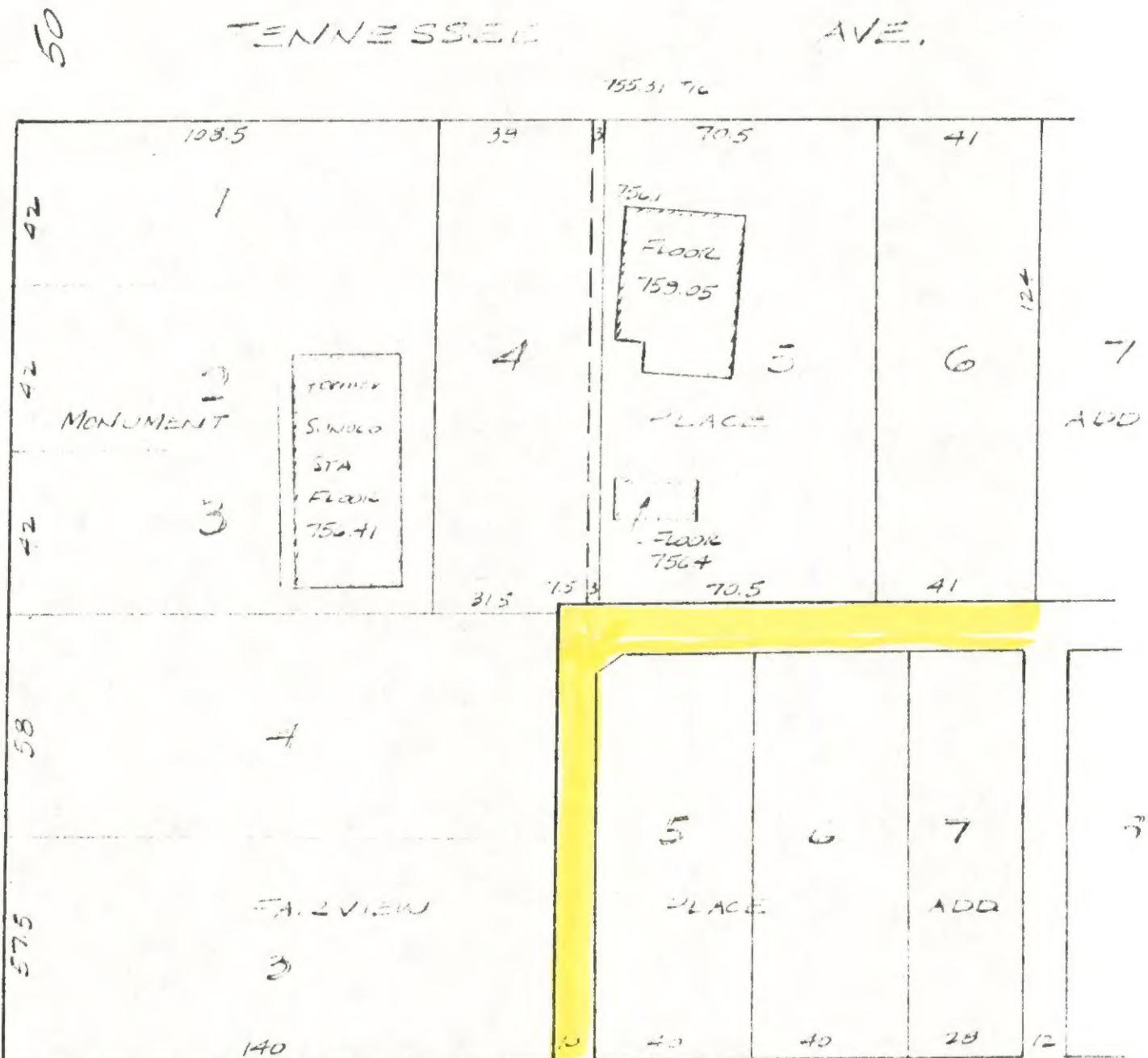
1000 Standard Federal Plaza
Street Address

Fort Wayne, Indiana 46802
City/State/Zip

(219) 426-1300
Phone

LOT 5 AND THE PLAT 4 OF LOT 4
MONUMENT AND ADD.

SPY RUN AVE.



40 ANDERSON AVENUE



Mr. J. Phillip Burt
1300 Lincoln Tower
Fort Wayne, IN 46802

Dear Phil:

The CORPS OF ENGINEERS 1974 Report on Plat 43 shows a Intermediate Regional Flood Elevation of 758.2 feet, more or less, at Tennessee Avenue.

With the DNR requirements of an additional 2.0 feet, the Flood Protection Grade (or Finished Floor for new construction) would be Elevation 760.2, more or less.

The finished floor grade of the existing building on the captioned property is at 759.05.

CERTIFIED AS OF JUNE 22, 1999

H. L. Davis

HOFER AND DAVIS, INC.

CERTIFICATE OF SURVEY

NUMBER.

OFFICE OF **HOFER AND DAVIS, INC.**

**CIVIL ENGINEERS & LAND SURVEYORS
FORT WAYNE, INDIANA**

A.K. HOFER P.E. No. 72
(1968) L.S. No. 10504

**CARL A. HOFER P.E. No. 7122
L.S. No. 10031**

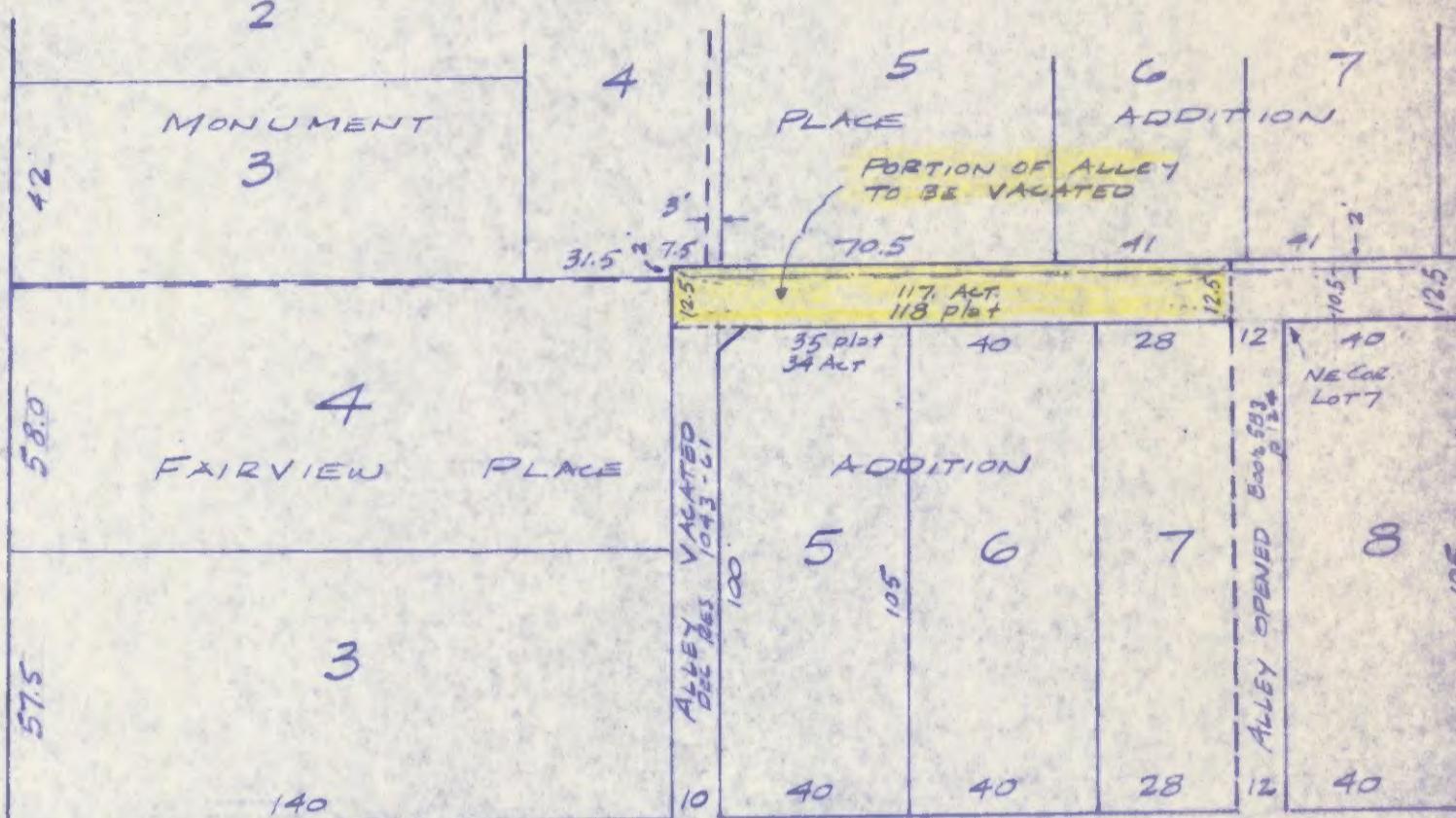
WILLIAM S. DAVIS L.S. No. S-0053
L.S. No. 18114 Michigan

MICHAEL W. DAVIS
L.S. No. 880030

This document is the record of a resurvey of land and real estate situated in the City of Fort Wayne, Allen County, Indiana, made in accordance with the plat and deed record thereof on file in the Office of Recorder of said County and State. The land below described exists in full dimension as herein noted in feet, and is free from encroachments by adjoining landowners, and furthermore, contains entirely within its boundaries the structures of the buildings on it situated; all as below indicated in detail. Any exceptions or discrepancies are below noted.

40 Scale

DESCRIPTION OF PROPERTY Lot No. *SEE BELOW*



Following is a legal description for a portion of a 12.5 ft. wide alley to be vacated. The South 10.5 feet of said alley situated in FAIRVIEW PLACE ADDITION and the North 2.0 feet of said alley situated in MONUMENT PLACE ADDITION, All by metes and bounds described as follows to-wit:

Commence on the North line of Lot 7 in said FAIRVIEW PLACE ADDITION at a point situated 12.0 feet West of the Northeast corner thereof; thence West along the North line of Lots 7, 6, and 5 and the Westerly projection thereof, a distance of 118.0 feet plat (117.0 feet actual) to the East line of Lot 4 in said Addition; thence North along the East line of said Lot 4 and its projection thereof, a distance of 12.5 feet to the South line of Lot 4 in MONUMENT PLACE ADDITION; thence East along the South line of Lots 4, 5 and 6 in said Addition, a distance of 117.0 feet to a point situated 12.0 feet West of the East line of Lot 7 in FAIRVIEW PLACE ADDITION produced North; thence South a distance of 12.5 feet to the point of beginning.

SUBJECT TO an Easement over and upon said public alley to be vacated for all the existing utilities located thereon.

IN WITNESS WHEREOF, I place my hand and

seal, this 31st day of JULY, 1990

A circular blue ink stamp. The text inside the circle is arranged in several lines: "J. H. HILLMAN, JR.", "1913", "50013", "STATE OF PENNSYLVANIA", and "1913". There are also some faint, illegible markings at the bottom of the stamp.

W^m S. Davis

RESOLUTION

WHEREAS, FAHMCO, INC., and DULIN, WARD & DEWALD, INC., have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following alley situated in Fort Wayne, Allen County, to-wit:

Following is a legal description for a portion of a 12.5 foot wide alley to be vacated. The South 10.5 feet of said alley situated in Fairview Place Addition and the North 2.0 feet of said alley situated in Monument Place Addition, All by metes and bounds described as follows to-wit:

Commence on the North line of Lot 7 in said Fairview Place Addition at a point situated 12.0 feet West of the Northeast corner thereof; thence West along the North line of Lots 7, 6 and 5 and the Westerly projection thereof, a distance of 118.0 feet plat (117.0 feet actual) to the East line of Lot 4 in said Addition; thence North along the East line of said Lot 4 and its projection thereof, a distance of 12.5 feet to the South line of Lot 4 in Monument Place Addition; thence East along the South line of Lots 4, 5 and 6 in said Addition, a distance of 117.0 feet to a point situated 12.0 feet West of the East line of Lot 7 in Fairview Place Addition produced North; thence South a distance of 12.5 feet to the point of beginning.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on August 20, 1990 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated alley.

WHEREAS, said vacation of dedicated alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated alley hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana:

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated alley hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated alley or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

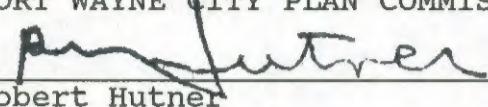
BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated alley in Allen County, Indiana.

STATE OF INDIANA)) SS:
COUNTY OF ALLEN)

I, Robert Hutner, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held August 27, 1990, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 30th DAY OF October 1990

FORT WAYNE CITY PLAN COMMISSION



Robert Hutner
Secretary

RESOLUTION 78-308-3

WHEREAS, FAHMCO, INC., and DULIN, WARD & DEWALD, INC., have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following alley situated in Fort Wayne, Allen County, to-wit:

Following is a legal description for a portion of a 12.5 foot wide alley to be vacated. The South 10.5 feet of said alley situated in Fairview Place Addition and the North 2.0 feet of said alley situated in Monument Place Addition, All by metes and bounds described as follows to-wit:

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all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said alley hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public alley or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)

) SS:

COUNTY OF ALLEN)

I, Charles E. Layton, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held

November 7, 1990 and as same appears of record in the official records of the Board of Public Works.

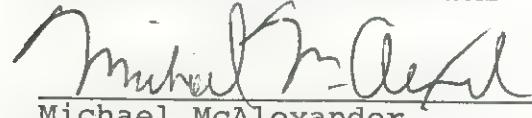
DATED THIS 7th DAY OF

November 1990

FORT WAYNE BOARD OF PUBLIC WORKS



Charles E. Layton
Director of Public Works



Michael McAlexander
Director of Public Safety



Douglas M. Lehman
Director of Administration & Finance

ORIGINAL

ORIGINAL

DIGEST SHEET

Alley Vacation Ordinance

TITLE OF ORDINANCE

DEPARTMENT REQUESTING ORDINANCE

Land Use Management - C&ED

SYNOPSIS OF ORDINANCE

A 12.5' x 118' east/west alley North of Anderson Avenue;

South of Tennessee Avenue and East of Spy Run Avenue.

10-90-08-12

EFFECT OF PASSAGE Property is presently dedicated right of way. Property would be vacated and revert to the adjacent property owners.

EFFECT OF NON-PASSAGE Property would remain a dedicated right of way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

(ASSIGN TO COMMITTEE (J.N.)

Division of Community Development & Planning

| BRIEF TITLE | APPROVAL DEADLINE | REASON | | | | | | | | | | | | | | |
|---|--|--|---|------------------|------------------------|---|--|--|---|---|--|--|---|--|---|--|
| Alley Vacation Ordinance | | | | | | | | | | | | | | | | |
| DETAILS <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;"> Specific Location and/or Address A 12.5' x 118' east-west alley north of Anderson Av; south of Tennessee Av and east of Spy Run Av. </td> <td style="padding: 5px;"> POSITIONS </td> <td style="padding: 5px;"> RECOMMENDATIONS </td> </tr> <tr> <td style="padding: 5px;"> Reason for Project To allow for construction of a utility building. </td> <td style="padding: 5px;"> Sponsor City Plan Commission </td> <td style="padding: 5px;"> Area Affected City Wide Other Areas </td> </tr> <tr> <td style="padding: 5px;"> Discussion (Including relationship to other Council actions) <u>20 August 1990 - Public Hearing</u> Phil Burt, attorney for petitioners appeared before the Commission. Mr. Burt stated that they had been working to save the property to the north (520 Tennessee Avenue) for historical reasons. He stated they have been working for over 1½ years and the alley vacation is part of the effort to preserve the property. He stated that they have no problem with the staff analysis and no problem with the conditions required by staff. He stated that they have met with and have been working with the Neighborhood Association in the area. There was no one else present who wished to speak in favor of or in opposition to the proposed vacation. </td> <td style="padding: 5px;"> Applicants/ Proponents FAHMCO Inc City Department Other </td> <td style="padding: 5px;"> Opponents Groups or Individuals Basis of Opposition </td> </tr> <tr> <td style="padding: 5px;"> <u>27 August 1990 - Business Meeting</u> Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation. Of the seven (7) members present, six (6) voted for the motion, one (1) did not vote. </td> <td style="padding: 5px;"> Staff Recommendation <input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against </td> <td style="padding: 5px;"> Board or Commission Recommendation <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for condition) </td> </tr> <tr> <td style="padding: 5px;"> CITY COUNCIL ACTIONS (For Council use only) </td> <td style="padding: 5px;"> <input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass </td> </tr> </table> | | | Specific Location and/or Address A 12.5' x 118' east-west alley north of Anderson Av; south of Tennessee Av and east of Spy Run Av. | POSITIONS | RECOMMENDATIONS | Reason for Project To allow for construction of a utility building. | Sponsor City Plan Commission | Area Affected City Wide Other Areas | Discussion (Including relationship to other Council actions) <u>20 August 1990 - Public Hearing</u> Phil Burt, attorney for petitioners appeared before the Commission. Mr. Burt stated that they had been working to save the property to the north (520 Tennessee Avenue) for historical reasons. He stated they have been working for over 1½ years and the alley vacation is part of the effort to preserve the property. He stated that they have no problem with the staff analysis and no problem with the conditions required by staff. He stated that they have met with and have been working with the Neighborhood Association in the area. There was no one else present who wished to speak in favor of or in opposition to the proposed vacation. | Applicants/ Proponents FAHMCO Inc City Department Other | Opponents Groups or Individuals Basis of Opposition | <u>27 August 1990 - Business Meeting</u> Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation. Of the seven (7) members present, six (6) voted for the motion, one (1) did not vote. | Staff Recommendation <input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against | Board or Commission Recommendation <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for condition) | CITY COUNCIL ACTIONS (For Council use only) | <input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass |
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| Reason for Project To allow for construction of a utility building. | Sponsor City Plan Commission | Area Affected City Wide Other Areas | | | | | | | | | | | | | | |
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| CITY COUNCIL ACTIONS (For Council use only) | <input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass | | | | | | | | | | | | | | | |

DETAILS

Motion carried.

POLICY/PROGRAM IMPACT

| | | |
|--|-----------------------------|------------------------------|
| Policy or Program Change | <input type="checkbox"/> No | <input type="checkbox"/> Yes |
| | | |
| | | |
| Operational Impact Assessment | | |
| | | |
| | | |

(This space for further discussion)

Project Start

Date 12 July 1990

Projected Completion or Occupancy

Date 30 October 1990

Fact Sheet Prepared by

Patricia Biancaniello

Reviewed by

Patricia Biancaniello
Reference or Case Number

Date 30 October 1990

Nov. 13, 1990
Date

BILL NO. G-90-08-12

REPORT OF THE COMMITTEE ON REGULATIONS

JANET G. BRADBURY, CHAIRPERSON
DAVID C. LONG, VICE CHAIRMAN
EDMONDS, SCHMIDT, TALARICO

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (REZONENZION) amending the
Thoroughfare Plan of the City Comprehensive ("Master") Plan by
vacating an alley thereof

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (RESOLUTION) _____

DO PASS

DO NOT PASS

ABSTAIN

NO REC

W. B. Bredbury
23 Edensor
Derbyshire
Clara Bony

DATED: 12-11-90

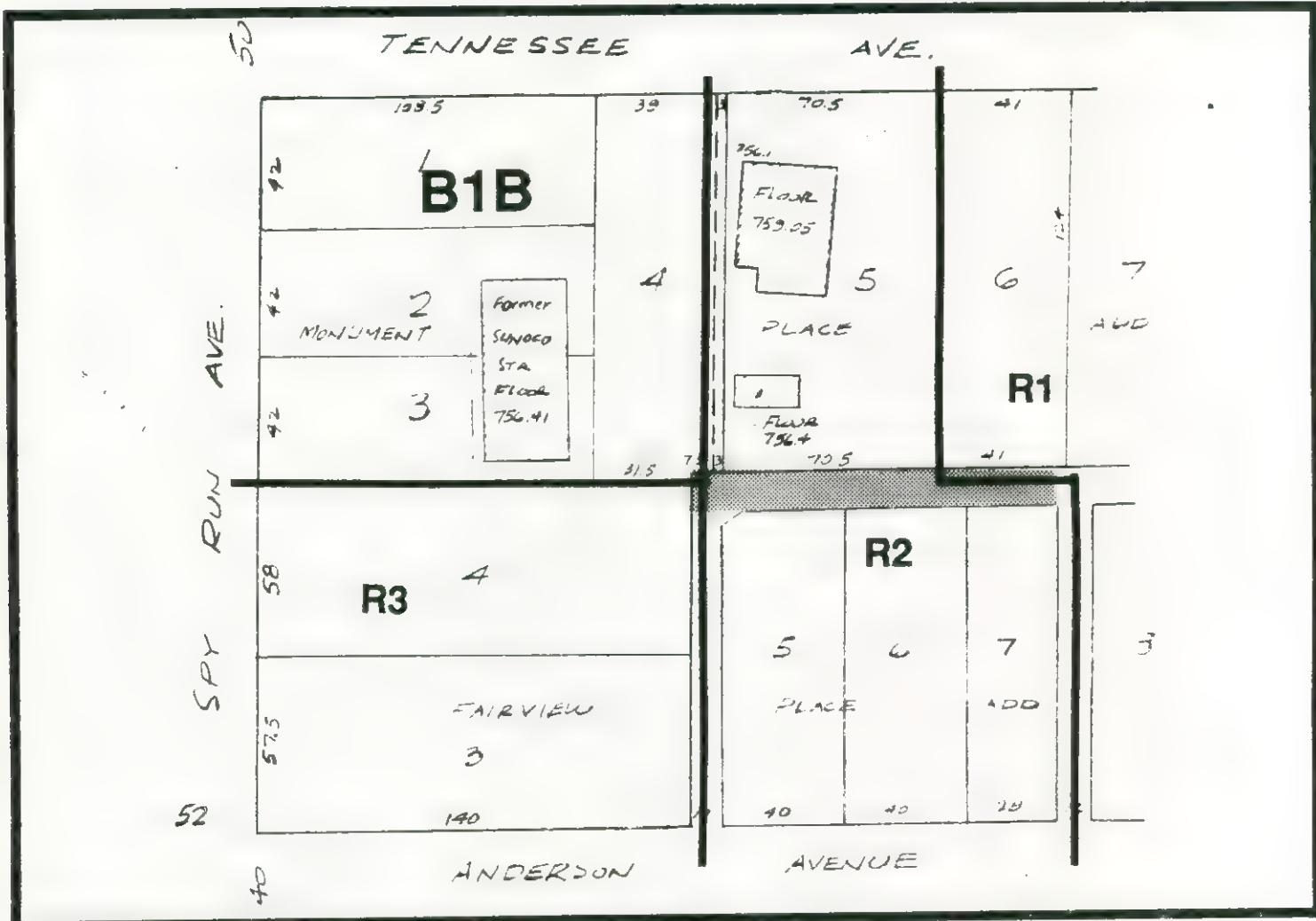
Sandra E. Kennedy
City Clerk

VACATION PETITION #443

A PETITION TO VACATE THE DESCRIBED PORTION OF PUBLIC ALLEY..

MAP NO. N-10

COUNCILMANIC DISTRICT NO. 3



ZONING:

R1 RESIDENTIAL DISTRICT

R2 RESIDENTIAL DISTRICT

R3 RESIDENTIAL DISTRICT

B1B LIMITED BUSINESS "B"

LAND USE:

- SINGLE FAMILY*
- COMMERCIAL*
- DUPLEX*

SCALE: NTS

DATE: 7-24-90



NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-90-08-12)

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, December 11, 1990, at 7:00 P.M. (EST) in the Common Council Conference Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:

Following is a legal description for a portion of a 12.5 foot wide alley to be vacated. The South 10.5 feet of said alley situated in Fairview Place Addition and the North 2.0 feet of said alley situated in Monument Place Addition, All by metes and bounds described as follows to-wit:

Commence on the North line of Lot 7 in said Fairview Place Addition at a point situated 12.0 feet West of the Northeast corner thereof; thence West along the North line of Lots 7, 6 and 5 and the Westerly projection thereof, a distance of 118.0 feet plat (117.0 feet actual) to the East line of Lot 4 in said Addition; thence North along the East line of said Lot 4 and its projection thereof, a distance of 12.5 feet to the South line of Lot 4 in Monument Place Addition; thence East along the South line of Lots 4, 5 and 6 in said Addition, a distance of 117.0 feet to a point situated 12.0 feet West of the East line of Lot 7 in Fairview Place Addition produced North; thence South a distance of 12.5 feet to the point of beginning.

All interested parties are invited to appear and be heard.

Fort Wayne Common Council

Sandra E. Kennedy
City Clerk



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

November 21, 1990

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of November 24, 1990, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. G-90-08-12
Alley Vacation

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

November 20, 1990

Phil Burt, Attorney
1000 Standard Federal Plaza
Fort Wayne, IN 46802

NOTICE OF PUBLIC HEARING ON BILL NO. G-90-08-12

You are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday, December 11, 1990, at 7:00 P.M. (EST) in the Common Council Conference Room 128, 1st Floor, City-County Building, One Main Street, Fort Wayne, Indiana, on the following:

A 12.5' X 118' east-west alley north of Anderson Ave.; south of Tennessee Ave. and east of Spy Run Ave.

To allow for construction of a utility building

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

Fort Wayne Common Council

Sandra E. Kennedy
Sandra E. Kennedy
City Clerk

Ft. Wayne Common Council
(Governmental Unit)

Allen County, Indiana

To: The Journal-Gazette
P.O. Box 100
Fort Wayne, IN

Dr.

PUBLISHER'S CLAIM**LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

35 lines, 1 columns wide equals 35 equivalent lines
at .33 cents per line

\$ 11.55

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 12.55

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: November 24, 1990

Title: Clerk

Clerk

*Nicole Allred***PUBLISHER'S AFFIDAVIT**

State of Indiana)

) as:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for One time(s), the dates of publication being as follows:

11/24/90

Nicole Allred

Subscribed and sworn to before me this 24th day of November, 1990.

Shelley R. Larue
Notary Public Whitley County, IN
SHELLEY R. LARUE

My commission expires: March 3, 1994

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-90-08-12)
Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, December 11, 1990, at 7:00 P.M. (ET) in the Common Council Conference Room 128, County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:
Said hearing is a legal description for a portion of a 12.5 foot wide alley to be vacated. The South 10.5 feet of said alley situated in Fairview Place Addition and the North 2.0 feet of said alley situated in Monument Place Addition, All by metes and bounds described as follows:
Commence on the North line of Lot 7 in said Fairview Place Addition at a point situated 12.0 feet West of the Northeast corner thereof; thence West along the North line of Lots 7, 6 and 5 and the Westerly projection thereof, a distance of 118.0 feet (plat 117.0 feet total) to the East line of Lot 4 in said Addition; thence thence th along the East line of said Lot 4 and its projection thereof, a distance of 12.5 feet to the South line of Lot 4 in Monument Place Addition; thence East along the South line of Lots 4, 5 and 6 in said Addition, a distance of 17.0 feet to a point situated 12.0 feet West of the North line of Lot 7 in Fairview Place Addition produced thence South a distance of 12.5 feet to the point of beginning.
All interested parties are invited to appear and be heard.

Fort Wayne Common Council
Sandra E. Kennedy
City Clerk

Ft. Wayne Common Council
 (Governmental Unit)
Allen
 County, Indiana

To: The News-Sentinel Dr.
 P.O. Box 100
 Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

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 (50 percent of above amount) _____

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TOTAL AMOUNT OF CLAIM \$ 12.55

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Date: November 24, 1990

Title: _____ Clerk _____

Clerk _____

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for the time (s) , the dates of publication being as follows:

1/24/90

Nicole Allred

Subscribed and sworn to before me this 24th day of November, 1990

Shelley R. Larue

Notary Public Whitley County, IN
 SHELLEY R. LARUE

My commission expires: March 3, 1994